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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q93742

Kei YAMANA, et al.

Appln. No.: 10/575,626

Group Art Unit: [Not yet assigned]

Confirmation No.: 3647

Examiner: [Not yet assigned]

Filed: April 13, 2006

For: NOVEL PROTEIN AND PRODUCTION PROCESS AND USE THEREOF

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/575,626

Atty. Docket No.: Q93742

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: February 23, 2007



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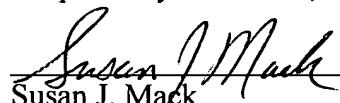
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

  
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**Substitute for Form 1449 A & B/PTO**



## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

<p>Substitute for Form 1449 A &amp; B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p>		<p><i>Complete if Known</i></p> <table border="1"> <tr> <td>Application Number</td> <td>10/575,626</td> </tr> <tr> <td>Confirmation Number</td> <td>3647</td> </tr> <tr> <td>Filing Date</td> <td>April 13, 2006</td> </tr> <tr> <td>First Named Inventor</td> <td>Kei YAMANA</td> </tr> <tr> <td>Art Unit</td> <td>[Not yet assigned]</td> </tr> <tr> <td>Examiner Name</td> <td>[Not yet assigned]</td> </tr> <tr> <td>Attorney Docket Number</td> <td>O93742</td> </tr> </table>		Application Number	10/575,626	Confirmation Number	3647	Filing Date	April 13, 2006	First Named Inventor	Kei YAMANA	Art Unit	[Not yet assigned]	Examiner Name	[Not yet assigned]	Attorney Docket Number	O93742
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Sheet	1	of	1														

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		HIRAKI, YUJI, et. al., "Chondromodulin-I as a novel cartilage-specific growth-modulating factor," <i>Pediatr Nephrol</i> (2000) 14:602-605	
		NAKAMICHI, YUKO, et. al., "Chondromodulin I Is a Bone Remodeling Factor," <i>Molecular and Cellular Biology</i> , Jan. 2003, pp. 636-644	
		OSHIMA, YUSUKE, et. al., "Anti-angiogenic action of the C-terminal domain of tenomodulin that shares homology with chondromodulin-I," <i>Journal of Cell Science</i> , Jan. 2004, 117, pp. 2731-2744	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.